

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|---------------------------------|---|--------------------------|
| PETE DILL, a/k/a DARRYL TUCKER, | : | |
| | : | |
| Petitioner, | : | CIVIL ACTION NO. 14-2278 |
| | : | |
| v. | : | |
| | : | |
| WARDEN D. ZICKEFOOSE, | : | |
| | : | |
| Respondent. | : | |

ORDER

AND NOW, this 4th day of August, 2014, after considering the Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc. No. 1-1) filed by the petitioner, Pete Dill, a/k/a Darryl Tucker, on February 28, 2014, in the United States District Court for the Middle District of Pennsylvania, and the Motion in Objection to Transferring this Case in Light of 28 U.S.C. § 2241(a)'s Respective Jurisdiction Clause filed by the petitioner on May 13, 2014, with this court (Doc. No. 2), it is hereby **ORDERED** as follows:

1. The instant petition for a writ of habeas corpus (Doc. No. 1-1), whether characterized as a motion under 28 U.S.C. § 2255 or a petition under 28 U.S.C. § 2241, is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction;
2. The Motion in Objection to Transferring this Case in Light of 28 U.S.C. § 2241(a)'s Respective Jurisdiction Clause (Doc. No. 2) is **DENIED**;
3. To the extent that the instant petition is characterized as a section 2255 motion, a certificate of appealability **SHALL NOT** issue; and
4. The Clerk shall mark this matter closed.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.